UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/461,932	12/15/1999	SUMITO HONDA	OOCL-7-(6SY-	4452

26479 7590 05/24/2004

STRAUB & POKOTYLO
620 TINTON AVENUE
BLDG. B, 2ND FLOOR
TINTON FALLS, NJ 07724

EXAMINER	
VU, NGOC YEN T	

ART UNIT	PAPER NUMBER
2612	8

DATE MAILED: 05/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/461,932	HONDA ET AL.	
	Examiner	Art Unit	
	Ngoc-Yen T. Vu	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 February 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendments, filed 02/23/04, have been entered and made of record. Claims 1-38 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-22 have been fully considered but they are not persuasive. The previous rejection accordingly stands, repeated from the last Office action as follows, with the Applicant's arguments addressed in the context of the rejection.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-3, 6, 10-13, 16, 20-25 and 33 stand rejected under 35 U.S.C. 102(b) as being anticipated by Teremy et al. (US #5,652,930) in view of the amendments and accompanying arguments addressed below,

Regarding claim **1**, Teremy '930 teaches a display device (Figs.3, 4 & 6, display 21) for a camera (Fig. 1, camera 10) comprising an organic electroluminescent element (Fig. 5, OLED elements 63, 64, 66, 68) for emitting multiple color lights (col. 4 line 22 – col. 6 line 10); driving condition setting means for changing driving conditions for driving the organic electroluminescent element (col. 6 lines 11-38); and driving control means (Fig. 5, OLED drivers

74) for driving the organic electroluminescent element on the basis of the driving conditions set by the driving condition setting means (col. 6 lines 11-38).

The Applicants now add that "the driving conditions are manually changeable by an operator", and argues that Teremy does not disclose or suggest such. The Examiner respectfully disagrees and points out that Teremy does in fact teach that the driving conditions of the OLED elements are manually changeable by a camera user. Teremy specifically teaches that the OLEDs emit light in different colors and different combinations associated with camera conditions which is manually changeable by the camera user (it is noted that Teremy teaches that the user can manually set camera conditions such as manual or automatic focus setting, self-timing setting, wide-angle, telephoto and close-up optics in column 6 lines 17-38. See also col. 2 line 66 – col. 3 line 13; col. 5 line 65 – col. 6 line 10.)

As to claim **2**, Teremy teaches that the driving condition are at least one of luminous brightness and luminous color (Teremy specifically teaches that the OLEDs emit light in different colors and different combinations associated with camera conditions which is manually changeable by the camera user. It is noted that Teremy teaches that the user can manually set camera conditions such as manual or automatic focus setting, self-timing setting, wide-angle, telephoto and close-up optics in column 6 lines 17-38. See also col. 2 line 66 – col. 3 line 13; col. 5 line 65 – col. 6 line 10.)

As to claim **3**, Teremy teaches that the organic electroluminescent element has a laminated structure (see Figs. 10-11; col. 3 lines 14-22; col. 6 lines 54-60; col. 7 lines 19-30).

Regarding claim **6**, Teremy '930 teaches a display device (Figs.3, 4 & 6, display 21) for a camera (Fig. 1, camera 10) comprising an organic electroluminescent element (Fig. 5, OLED

elements 63, 64, 66, 68) for emitting multiple color lights (col. 4 line 22 – col. 6 line 10); driving condition setting means for changing driving conditions for driving the organic electroluminescent element (col. 6 lines 11-38); storing means for storing the driving conditions set by the driving conditions setting means (it is inherent that the microcontroller (70) taught in Teremy has storing means for storing the camera conditions which are set by a camera user); and driving control means (Fig. 5, OLED drivers 74) for driving the organic electroluminescent element on the basis of the driving conditions set by the driving condition setting means (col. 6 lines 11-38).

The Applicants now add that "the driving conditions are manually changeable by an operator", and argues that Teremy does not disclose or suggest such. The Examiner respectfully disagrees and points out that Teremy does in fact teach that the driving conditions of the OLED elements are manually changeable by a camera user. Teremy specifically teaches that the OLEDs emit light in different colors and different combinations associated with camera conditions which is manually changeable by the camera user (It is noted that Teremy teaches that the user can manually set camera conditions such as manual or automatic focus setting, self-timing setting, wide-angle, telephoto and close-up optics in column 6 lines 17-38. See also col. 2 line 66 – col. 3 line 13; col. 5 line 65 – col. 6 line 10.)

Regarding claim **10**, Teremy '930 teaches a camera (10) comprising an organic electroluminescent element (Fig. 5, OLED elements 63, 64, 66, 68) for emitting multiple color lights (col. 4 line 22 – col. 6 line 10); driving condition setting means for changing driving conditions for driving the organic electroluminescent element (col. 6 lines 11-38); and a display

device for displaying that setting the driving conditions by the driving condition setting means is allowable (Fig. 6, display 21).

The Applicants now add that "the driving conditions are manually changeable by an operator", and argues that Teremy does not disclose or suggest such. The Examiner respectfully disagrees and points out that Teremy does in fact teach that the driving conditions of the OLED elements are manually changeable by a camera user. Teremy specifically teaches that the OLEDs emit light in different colors and different combinations associated with camera conditions which is manually changeable by the camera user (It is noted that Teremy teaches that the user can manually set camera conditions such as manual or automatic focus setting, self-timing setting, wide-angle, telephoto and close-up optics in column 6 lines 17-38. See also col. 2 line 66 – col. 3 line 13; col. 5 line 65 – col. 6 line 10.)

Regarding claim **11**, Teremy '930 teaches a display device (Figs.3, 4 & 6, display 21) for a camera (10) comprising an organic electroluminescent element (Fig. 5, OLED elements 63, 64, 66, 68) emitting multiple color lights (col. 4 line 22 – col. 6 line 10); a driving condition setting circuit setting data corresponding to driving conditions of the organic electroluminescent element (col. 6 lines 11-38); and a drive circuit (Fig. 5, OLED drivers 74 and microcontroller 70) driving the organic electroluminescent element on the basis of the driving conditions set the driving condition setting circuit (col. 6 lines 11-38). The Applicants now add that "the driving conditions are manually changeable by an operator", and argues that Teremy does not disclose or suggest such. The Examiner respectfully disagrees and points out that Teremy does in fact teach that the driving conditions of the OLED elements are manually changeable by a camera user. Teremy specifically teaches that the OLEDs emit light in different colors and different

combinations associated with camera conditions which is manually changeable by the camera user (It is noted that Teremy teaches that the user can manually set camera conditions such as manual or automatic focus setting, self-timing setting, wide-angle, telephoto and close-up optics in column 6 lines 17-38. See also col. 2 line 66 – col. 3 line 13; col. 5 line 65 – col. 6 line 10.)

As to claim **12**, Teremy teaches that the driving conditions are at least on of luminous brightness and luminous color (Teremy specifically teaches that the OLEDs emit light in different colors and different combinations associated with camera conditions, which is manually changeable by the camera user. It is noted that Teremy teaches that the user can manually set camera conditions such as manual or automatic focus setting, self-timing setting, wide-angle, telephoto and close-up optics in column 6 lines 17-38. See also col. 2 line 66 – col. 3 line 13; col. 5 line 65 – col. 6 line 10.)

As to claim **13**, Teremy teaches that the organic electroluminescent element has a laminated structure (see Figs. 10-11; col. 3 lines 14-22; col. 6 lines 54-60; col. 7 lines 19-30).

Regarding claim **16**, Teremy '930 teaches a display device (Figs.3, 4 & 6, display 21) for a camera (10) comprising an organic electroluminescent element (Fig. 5, OLED elements 63, 64, 66, 68) emitting multiple color lights (col. 4 line 22 – col. 6 line 10); a driving condition setting circuit setting data corresponding to driving conditions of the organic electroluminescent element (col. 6 lines 11-38); a memory storing the driving conditions set by the driving condition setting circuit (it is inherent that the microcontroller (70) taught in Teremy has storing means for storing the camera conditions which are set by a camera user); and a driving circuit (Fig. 5, OLED drivers 74 and microcontroller 70) driving the organic electroluminescent element on the basis of the driving conditions stored in the memory (col. 6 lines 11-38). The Applicants now add that

"the driving conditions are manually changeable by an operator", and argues that Teremy does not disclose or suggest such. The Examiner respectfully disagrees and points out that Teremy does in fact teach that the driving conditions of the OLED elements are manually changeable by a camera user. Teremy specifically teaches that the OLEDs emit light in different colors and different combinations associated with camera conditions which is manually changeable by the camera user. It is noted that Teremy teaches that the user can manually set camera conditions such as manual or automatic focus setting, self-timing setting, wide-angle, telephoto and close-up optics in column 6 lines 17-38. See also col. 2 line 66 – col. 3 line 13; col. 5 line 65 – col. 6 line 10).

Regarding claim **20**, Teremy '930 teaches a camera (10) comprising an organic electroluminescent element (Fig. 5, OLED elements 63, 64, 66, 68) emitting multiple color lights (col. 4 line 22 – col. 6 line 10); a driving condition setting circuit setting data corresponding to driving conditions for driving the organic electroluminescent element (col. 6 lines 11-38); and a display device displaying that setting the driving conditions by the driving condition setting circuit is allowable (Fig. 6, display 21). The Applicants now add that "the driving conditions are manually changeable by an operator", and argues that Teremy does not disclose or suggest such. The Examiner respectfully disagrees and points out that Teremy does in fact teach that the driving conditions of the OLED elements are manually changeable by a camera user. Teremy specifically teaches that the OLEDs emit light in different colors and different combinations associated with camera conditions which is manually changeable by the camera user (It is noted that Teremy teaches that the user can manually set camera conditions such as manual or

automatic focus setting, self-timing setting, wide-angle, telephoto and close-up optics in column 6 lines 17-38. See also col. 2 line 66 – col. 3 line 13; col. 5 line 65 – col. 6 line 10.)

Regarding claim **21**, Teremy teaches a display device for a camera (10) comprising a display section including an organic EL element (Fig. 5, OLED elements 63, 64, 66, 68) having a laminated structure (Figs. 10-11, col. 7 lines 19-30) for emitting multiple color lights (col. 4 line 22 – col. 6 line 10); a first driving condition setting section (Fig. 5, photocell 89 and microcontroller 70) for setting luminous brightness of the organic EL element (col. 6 lines 17-46; col. 7 lines 32-61); a second driving condition setting section (microcontroller 70) for setting luminous color of the organic EL element (col. 6 lines 11-38); and a driving control section driving the organic EL element on the basis of the driving conditions set by the first driving condition setting section and the second driving condition setting section (col. 5 line 65 – col. 6 line 10; col. 6 lines 17-46; col. 7 lines 32-61).

As to claim **22**, Teremy shows that the display section includes an outside display section (see Figs. 3 & 6).

Regarding claim **23**, it is a method claim of the corresponding apparatus claim 21. Therefore, claim 23 is analyzed and rejected as previously discussed with respect to claim 21.

As to claim **24**, Teremy teaches that the driving conditions are manually settable by an operator (Teremy specifically teaches that the OLEDs emit light in different colors and different combinations associated with camera conditions, which is manually changeable by the camera user. It is noted that Teremy teaches that the user can manually set camera conditions such as manual or automatic focus setting, self-timing setting, wide-angle, telephoto and close-up optics in column 6 lines 17-38. See also col. 2 line 66 – col. 3 line 13; col. 5 line 65 – col. 6 line 10.)

Regarding claim **25**, Teremy '930 teaches a display device (Figs.3, 4 & 6, display 21) for a camera (Fig. 1, camera 10) comprising a display section (Fig. 5, OLED elements 63, 64, 66, 68) emitting lights on the basis of a luminous conditions corresponding to respective operation states of the camera, and displaying the operation states of the camera (col. 4 line 22 – col. 6 line 10); luminous condition setting means for changing the luminous conditions (col. 6 lines 11-38); and storing means for storing the luminous conditions in association with the respective operation states of the camera (it is inherent that the microcontroller (70) taught in Teremy has storing means for storing the camera conditions which are set by a camera user), wherein the luminous conditions are manually changeable by an operator of the camera (Teremy does teach that the driving conditions of the OLED elements are manually changeable by a camera user. Teremy specifically teaches that the OLEDs emit light in different colors and different combinations associated with camera conditions which is manually changeable by the camera user. It is noted that Teremy teaches that the user can manually set camera conditions such as manual or automatic focus setting, self-timing setting, wide-angle, telephoto and close-up optics in column 6 lines 17-38. See also col. 2 line 66 – col. 3 line 13; col. 5 line 65 – col. 6 line 10).

Regarding claim **33**, Teremy '930 teaches a display device (Figs.3, 4 & 6, display 21) for a camera (Fig. 1, camera 10) comprising a luminous section (Fig. 5, OLED elements 63, 64, 66, 68) for performing luminous displays corresponding to respective camera operation states (col. 4 line 22 – col. 6 line 10); driving control means (Fig. 5, microcontroller 70 and OLED drivers 74) for driving and controlling the luminous display of the luminous section on the basis of display driving conditions preset in correspondence with the respective camera operation states; and driving condition setting means for manually setting and changing the display driving conditions

of the driving control means at discretion (Teremy does teach that the driving conditions of the OLED elements are manually changeable by a camera user. Teremy specifically teaches that the OLEDs emit light in different colors and different combinations associated with camera conditions which is manually changeable by the camera user. It is noted that Teremy teaches that the user can manually set camera conditions such as manual or automatic focus setting, self-timing setting, wide-angle, telephoto and close-up optics in column 6 lines 17-38. See also col. 2 line 66 – col. 3 line 13; col. 5 line 65 – col. 6 line 10).

5. Claims 6, 8, 9 and 25-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Osato et al. (US #6,021,280).

Regarding claim **6**, Osato '280 teaches a display device (Fig. 1, 18a) for a camera comprising an organic electroluminescent element for emitting multiple color lights (col. 5 lines 23-29); driving condition setting means (main switch Bsw and zoom switch Zsw) for changing driving conditions for driving the organic electroluminescent element (col. 3 lines 33-34; col. 4 lines 34 – col. 5 line14); storing means for storing the driving conditions set by the driving conditions setting means (RAM 11a or ROM 11b) (col. 3 lines 2-9; col. 4 lines 26-33); and driving control means (CPU 11) for driving the organic electroluminescent element on the basis of the driving conditions stored in the storing means (col. 3 lines 23-34; col. 4 lines 34 – col. 5 line 14).

The Applicants now add that "the driving conditions are manually changeable by an operator", and argues that Osato does not disclose or suggest that the operator can set the luminous color, luminous brightness, etc. of the display. The Applicants further argue that in the

system of the Osato patent, the operator cannot manually change the luminous color, nor can the operator change the brightness. The Examiner respectfully disagrees and points out that Osato does in fact teach that the driving conditions of the LED or EL elements are manually changeable by a camera user. Osato specifically teaches that the driving conditions of the LEDs or EL are changed when the operator depress the zoom switch Zsw or the main switch Bsw (see col. 3 lines 33-37; col. 3 line 56 – col. 4 line 1; col. 4 lines 23-33, lines 42-66; col. 5 lines 8-14.)

As to claim **8**, Osato teaches that the driving condition setting means includes an operation member (main switch Bsw or zoom switch Zsw) operated manually, and the operation member also serves as another operation member for setting a photographing mode of a camera (col. 3 lines 32-36; col. 5 lines 8-13. Since Osato explicitly teaches that a switch other than the main switch Bsw may be used to change the driving conditions of the display 18a, it is inherent that either a release switch Rsw or a mode switch Msw can be used to change the driving conditions of the display 18a).

As to claim **9**, Osato teaches a mode selector member for performing switching between a setting mode for setting the driving conditions of the driving condition setting means and a photographing mode of a camera, wherein, when the setting mode is set by the mode selector member, change in the driving conditions is allowed (col. 3 lines 23-34; col. 4 lines 34 – col. 5 line 14) (Since Osato explicitly teaches that a switch other than the main switch Bsw may be used to change the driving conditions of the display 18a, it is inherent that either a release switch Rsw or a mode switch Msw can be used to change the driving conditions of the display 18a).

Regarding claim **25**, Osato '280 teaches a display device (Fig. 1, 18a) for a camera comprising a display section emitting lights on the basis of a luminous conditions (col. 5 lines

23-29) corresponding to the respective operation states of the camera and displaying the operation states of the camera (see Figs. 2-3); luminous condition setting means (main switch Bsw and zoom switch Zsw) for changing the luminous conditions (col. 3 lines 33-34; col. 4 lines 34 – col. 5 line14); storing means for storing the luminous conditions in association with the respective operation states of the camera (RAM 11a or ROM 11b) (col. 3 lines 2-9, 23-24; col. 4 lines 34 – col. 5 line 14), wherein the luminous conditions are manually changeable by an operator of the camera (It is noted that Osato does teach that the driving conditions of the LEDs or EL elements are manually changeable by a camera user. Osato specifically teaches that the driving conditions of the LEDs or EL are changed when the operator depress the zoom switch Zsw or the main switch Bsw (see col. 3 lines 33-37; col. 3 line 56 – col. 4 line 1; col. 4 lines 23-33, lines 42-66; col. 5 lines 8-14).

As to claim **26**, Osato teaches that the luminous conditions are at least one of luminous color and luminous brightness (Osato teaches the display pattern Ss is ON while the remaining display patterns are flickered, see col. 3 lines 56-65. Osato also teaches that when the main switch Bsw is depressed, the CPU 11 controls the LED to turn OFF all the display patterns and to display the errors for only a predetermined time period, see col. 4 lines 42-66).

As to claims **27-28**, Osato teaches that the display section is an LCD section for outside display of the camera (see col. 2 lines 1-42).

As to claims **29-30**, Osato teaches that the display section is a part of an exterior of the camera (see col. 2 lines 1-42; col. 3 lines 25-29).

As to claims **31-32**, Osato teaches that the display section is provided in a finder of the camera (see col. 2 lines 1-42; col. 3 lines 25-29).

Regarding claim **33**, Osato '280 teaches a display device (Fig. 1, 18a) for a camera comprising a luminous section (LCD 18a; col. 3 lines 5-29, col. 5 lines 23-29) for performing plural luminous displays corresponding to the respective camera operation states (see Figs. 2-3); driving control means (Fig. 1, CPU 11 and LCD display circuit 18/18a) for driving and controlling the luminous display of the luminous section on the basis of display driving conditions preset in correspondence with the respective camera operation states ; and driving condition setting means (main switch Bsw and zoom switch Zsw) for manually setting and changing the display driving conditions of the driving control means at discretion (It is noted that Osato does teach that the driving conditions of the LEDs or EL elements are manually changeable by a camera user. Osato specifically teaches that the driving conditions of the LEDs or EL are changed when the operator depress the zoom switch Zsw or the main switch Bsw (see col. 3 lines 33-37; col. 3 line 56 – col. 4 line 1; col. 4 lines 23-33, lines 42-66; col. 5 lines 8-14).

As to claim **34**, Osato teaches that the camera further comprises driving condition storing means for storing the display driving conditions set and changed by the driving condition setting means (RAM 11a or ROM 11b) (col. 3 lines 2-9, 23-24; col. 4 lines 34 – col. 5 line 14).

As to claims **35-36**, Osato teaches that the display driving conditions which are settable and changeable by the driving condition setting means are at least one of luminous display color and luminous brightness (It is noted that Osato does teach that the driving conditions of the LEDs or EL elements are manually changeable by a camera user. Osato specifically teaches that the driving conditions of the LEDs or EL are changed when the operator depress the zoom switch Zsw or the main switch Bsw (see col. 3 lines 33-37; col. 3 line 56 – col. 4 line 1; col. 4 lines 23-33, lines 42-66; col. 5 lines 8-14). Osato also teaches the display pattern Ss is ON while

the remaining display patterns are flickered, see col. 3 lines 56-65. Osato also teaches that when the main switch Bsw is depressed, the CPU 11 controls the LED to turn OFF all the display patterns and to display the errors for only a predetermined time period, see col. 4 lines 42-66).

As to claims **37-38**, Osato teaches that the driving condition setting means also serves as an operation member with which a photographing mode of the camera is manually set (Since Osato explicitly teaches that a switch other than the main switch Bsw may be used to change the driving conditions of the display 18a, it is inherent that either a release switch Rsw or a mode switch Msw can be used to change the driving conditions of the display 18a).

Claim Rejections - 35 USC § 103

6. Claims 4-5, 7-9, 14-15 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teremy '930 in view of Osato et al. (US #6,021,280).

As to claim **4**, the claims differs from Teremy in that the claim further requires the driving condition setting means includes an operation member operated manually, and the operation member also serves as another operation member for setting a photographing mode of a camera (It is noted that Teremy teaches that the user can manually set camera conditions such as manual or automatic focus setting, self-timing setting, wide-angle, telephoto and close-up optics in column 6 lines 17-38. See also col. 2 line 66 – col. 3 line 13; col. 5 line 65 – col. 6 line 10). However, the limitation is well known in the art as shown in Osato et al. In the same field of endeavor, in figure 1 Osato '280 teach an EL display device (col. 5 lines 22-29) for a camera wherein the driving condition of the display device can be set manually by an operation

member (switches Bsw, Zsw, Rsw or Msw), wherein the operation member also serves as another operation member for setting a photographing mode of a camera (col. 3 lines 33-36; col. 4 line 42 – col. 5 line 14). In light of the teaching from Osato, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the driving condition setting means taught in Teremy as claimed so as to provide a common manually operation member for changing the driving condition of the display and for setting a photographing mode of the camera, thus providing a compact camera having versatile capabilities.

As to claim **5**, the claim differs from Teremy in that it further requires a mode selector member for performing switching between a setting mode for setting the driving conditions of the driving condition setting means and a photographing mode of a camera, wherein, when the setting mode is set by the mode selector member, change in the driving conditions is allowed (It is noted that Teremy teaches that the user can manually set camera conditions such as manual or automatic focus setting, self-timing setting, wide-angle, telephoto and close-up optics in column 6 lines 17-38. See also col. 2 line 66 – col. 3 line 13; col. 5 line 65 – col. 6 line 10.) However, the limitation is well known in the art as shown in Osato et al. In the same field of endeavor, in figure 1 Osato '280 teach an EL display device (col. 5 lines 22-29) for a camera wherein the driving condition of the display device can be set manually by a mode selector member (switch Bsw, Zsw, Rsw or Msw), and the mode selector member also sets a photographing mode of a camera, wherein when the setting mode is set by the mode selector member, change in the driving condition is allowed (col. 3 lines 33-36; col. 4 line 42 – col. 5 line 14). In light of the teaching from Osato, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the driving condition setting means taught in Teremy as claimed so as to provide a mode selector member for setting the driving condition of the display and for setting a photographing mode of the camera, thus providing a compact camera having versatile capabilities.

As to claim 7, the claim differs from Teremy, as modified by Osato, in that the claim further requires that the storing means is an electrically rewritable non-volatile memory. It is noted that Osato teaches that the RAM 11a is a readable/writable volatile memory and the ROM 11b is a readable non-volatile memory, and the ROM 11b stores various data used for a program or light and distance measuring operations. Official notice is taken that it is well known in the art to store camera's program operations in an electrically readable/rewritable non-volatile memory for the purpose of facilitating the upgrading the camera's operations. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to store the driving conditions of the display device taught in Teremy and Osato so as to facilitate changing of the driving conditions set by the driving condition setting means.

As to claim **8**, see the Examiner's comments in claim 4.

As to claim **9**, see the Examiner's comments in claim 5.

As to claim **14**, see the Examiner's comments in claim 4.

As to claim **15**, see the Examiner's comments in claim 5.

As to claim **17**, see the Examiner's comments in claim 7.

As to claim **18**, see the Examiner's comments in claim 4.

As to claim **19**, see the Examiner's comments in claim 5.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc-Yen T. Vu whose telephone number is 703-305-4946. The examiner can normally be reached on Mon. – Fri. from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NGOC-YEN VU
PRIMARY EXAMINER

Art Unit 2612

NYV
05/16/2004